

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Manvinder Singh,
Petitioner,

v.

Jeh Johnson, et al.,
Respondents.

No. CV-16-00756-PHX-DLR

ORDER

Before the Court is the Report and Recommendation (“R&R”) of Magistrate Judge David Duncan, which recommends dismissing Petitioner’s Petition for Writ of Habeas Corpus without prejudice. (Doc. 13.) The Magistrate Judge advised the parties that they had fourteen days to file objections to the R&R and that failure to file timely objections could be considered a waiver of the right to obtain review of the R&R. (*Id.* at 2 (citing Fed. R. Civ. P. 72(b); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)).

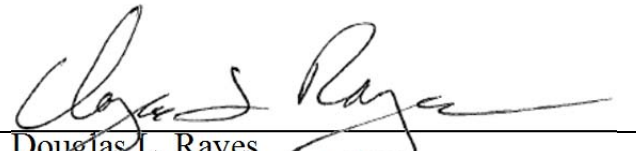
Neither party filed objections, which relieves the Court of its obligation to review the R&R. *See Reyna-Tapia*, 328 F.3d at 1121; *Thomas v. Arn*, 474 U.S. 140, 149 (1985) (“[Section 636(b)(1)] does not . . . require any review at all . . . of any issue that is not the subject of an objection.”); Fed. R. Civ. P. 72(b)(3) (“The district judge must determine de novo any part of the magistrate judge’s disposition that has been properly objected to.”). The Court has nonetheless reviewed the R&R and agrees with Magistrate Judge

1 Duncan's recommendations. The Court will accept the R&R and deny the Petition
2 without prejudice. *See* 28 U.S.C. § 636(b)(1) (stating that the district court "may accept,
3 reject, or modify, in whole or in part, the findings or recommendations made by the
4 magistrate"); Fed. R. Civ. P. 72(b)(3) ("The district judge may accept, reject, or modify
5 the recommended disposition; receive further evidence; or return the matter to the
6 magistrate judge with instructions."). Accordingly,

7 **IT IS ORDERED** that Magistrate Judge Duncan's R&R (Doc. 13) is
8 **ACCEPTED**, and Petitioner's petition is **DISMISSED**.

9 Dated this 29th day of August, 2016.

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28


Douglas L. Rayes
United States District Judge